

[45 FR 53818, Aug. 13, 1980, as amended at 45 FR 75661, Nov. 17, 1980; 49 FR 1343, Jan. 11, 1984]

§ 52.2231 Control strategy: Sulfur oxides and particulate matter.

(a) *Part D conditional approval.* The Chattanooga primary TSP plan's provisions for review of new sources and modifications in the nonattainment area are approved on condition that the State submit by December 31, 1987, a definition of the term *Federally enforceable* and provisions for making Federally enforceable all limitations, conditions, and offsets, including permit restrictions, relied upon under the plan, and in the interim, implement these provisions in a manner consistent with EPA requirements.

(b) In letters dated March 9 and April 15, 1988, the Tennessee Department of Health and Environment certified that no emission limits in the State's plan are based on dispersion techniques not permitted by EPA's stack height rules. This certification does not apply to: Dupont (43-07-02); Tennessee Valley Authority—Johnsonville (43-11-1 thru 10); Tennessee Chemical Company (70-04-21); Tennessee Eastman (82-03-15-19); A.E. Staley (53-81-18, 19, 34, 31); Cargill Inc., Memphis; and Grace Chemical Company, Millington.

(c) *Determination of Attaining Data.* EPA has determined, as of May 31, 2011, the Chattanooga, Tennessee, nonattainment area has attaining data for the 1997 annual PM_{2.5} NAAQS. This determination, in accordance with 40 CFR 52.1004(c), suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 1997 annual PM_{2.5} NAAQS.

[52 FR 15498, Apr. 29, 1987, as amended at 54 FR 25454, June 15, 1989; 76 FR 31239, May 31, 2011]

§ 52.2232 [Reserved]

§ 52.2233 Significant deterioration of air quality.

(a)(1) Paragraph 1200-3-9-.01(4)-(0)-2. of Tennessee's regulations is dis-

approved because it does not require that the consent of the Governor(s) of affected states be obtained when innovative technology waivers are granted. EPA retains permitting authority for sources requesting innovative technology waivers which would significantly impact air quality in adjacent states.

(2) Tennessee's definition of *stationary source* specifically excludes the *activities of any Vessel*. This exclusion is not currently approvable and EPA is deferring action on it pending final rulemaking on the issue. EPA retains authority for permits which involve vessel emissions where a source is not willing to include all vessel emissions in the definition of source.

(b) The requirements of § 52.21 except paragraph (a)(1) are hereby incorporated and made part of the applicable SIP for the State of Tennessee for the following purposes:

(1) Permitting of sources requesting innovative technology waivers which would significantly impact air quality in adjacent states.

(2) Permitting of sources involving vessel emissions where the source is unwilling to include all vessel emissions in the definition of source.

(c)(1) All applications and other information required pursuant to § 52.21 of this part from sources located or to be located in the State of Tennessee shall be submitted to the State agency, Tennessee Department of Environment and Conservation, Division of Air Pollution Control, 401 Church Street, 9th Floor, L&C Annex, Nashville, Tennessee 37243-1531, or local agencies, Knox County Air Quality Management-Department of Public Health, 140 Dameron Avenue, Knoxville, Tennessee 37917; Air Pollution Control Bureau, Metropolitan Health Department, 311 23rd Avenue North, Nashville, Tennessee 37203; Chattanooga-Hamilton County Air Pollution Control Bureau, 6125 Preservation Drive, Chattanooga, Tennessee 37416; Memphis-Shelby County Health Department-Air Pollution Control Program, 814 Jefferson Avenue, Memphis, Tennessee 38105,